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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) CASE NO.: CR 08-0628 ABC  
11 )  
12 Plaintiff, )  
13 v. ) ORDER RE: DEFENDANT'S MOTION IN  
14 MARIO SERRANO-ARREDONDO, ) LIMINE TO PRECLUDE TESTIMONY OF  
15 Defendant. ) EXPERTS  
\_\_\_\_\_ )

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17 Currently before the Court is Defendant's Motion in Limine to  
18 Preclude Testimony of Experts ("Motion"), filed October 8, 2008. The  
19 Government's opposition to the Motion was filed on October 15, 2008,  
20 and Defendant's reply was filed on October 20, 2008. Defendant seeks  
21 to exclude the testimony of two experts identified by the Government:  
22 a Fingerprint Examiner (likely either William Watling or Herbert  
23 Bruning); and Citizenship and Immigration Section Manager Preston W.  
24 Prater.

25 As to the Fingerprint Examiner, Defendant's motion is GRANTED.  
26 Defendant has agreed to stipulate to the fact that he is indeed the  
27 same person who was previously removed from the United States on the  
28 two occasions charged in the indictment. Thus there will be no need

1 for any testimony to establish that Defendant's fingerprints match the  
2 prints on the Warrants of Removal at issue. Further, evidence of  
3 Defendant's prior convictions is irrelevant to the elements of the  
4 offense charged.

5 As to Mr. Prater, Defendant's motion is GRANTED IN PART, in that  
6 Mr. Prater shall not be allowed to offer expert testimony in the  
7 Government's case in chief. Mr. Prater's expert testimony will not be  
8 necessary for the Government to establish a prima facie case that  
9 Defendant appears to be a Mexican national. Depending on how  
10 Defendant presents his defense of acquired United States citizenship,  
11 Mr. Prater's testimony may be allowable on rebuttal. The Court will  
12 revisit this issue at the appropriate time.

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14 **DATED:** October 27, 2008



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**AUDREY B. COLLINS**  
**UNITED STATES DISTRICT JUDGE**